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Sent: Wednesday, December 12, 2007 10:55 AM  
To: MLPACComments; Melissa Miller-Henson; Susan Ashcraft; John Ugoretz  
Subject: Draft Master Plan Clarification to the NCCRS

December 12, 2007

Susan Ashcraft, DFG MLPA Staff & I-Team . . .

While watching the webcast of yesterday's (12/11/2007) meeting of the North Central Coast Regional Stakeholder Group (NCCRS) an issue came to my attention that requires immediate clarification to NCCRS members for their present deliberations, as well as for the process going forward.

In response to yesterday's Agenda Item 4 - Informational Presentations, NCCRS member Ed Tavasieff asked for clarification on the definition of "biogeographical region" borders with respect to the MLPA what he termed, "replication parameters." I have reviewed that portion of the archived webcast several times, and I remain very concerned about the responses Mr. Tavasieff received from I-Team and staff.

There was nothing unclear about Mr. Tavasieff's question, but the responses he received were confusing at best. I was surprised and dismayed that no one provided the correct answer!

From the December 2007 version of the Draft Master Plan (DMP-page 48):

"Accepting the strong scientific consensus of a major biogeographical break at Point Conception, the task force recommended that the Commission adopt the two biogeographic provinces as the biogeographical regions for purposes of implementing the Marine Life Protection Act. The task force recommended that the more refined information on other breaks be used in designating study regions and in designing networks of MPAs.

The Commission adopted these recommendations in August 2005 within the master plan framework, and they are not changed in this master plan."

Additionally, from page 49:

"The MLPA sets other requirements for the use of marine reserves. At FGC subsection 2857(c)(3), the MLPA requires "[s]imilar types of marine habitats and communities shall be replicated, to the extent possible, in more than one marine life reserve in each biogeographical region."

Consistent with this approach, this master plan framework foresees that in each biogeographical region described above, representative habitat across a range of depths should be represented in at least two marine reserves in order to assure the replication of habitats required by the MLPA. It should be noted that several of habitat types occur in only one depth zone, while others may occur in three or four depth zones.

Experience demonstrates that individual MPAs generally include several types of habitat in different depth zones, so the overall number of marine reserves required to replicate the various habitat types may be less than the total combination of depth zones and habitats replicated across each region."

I closely followed the 2005 deliberations of the the task force and the Commission that resulted in the Commission adopting the two biogeographic provinces as the biogeographical regions for purposes of implementing the Marine Life Protection Act. These were not cursory nor ambiguous decisions. The deliberations were highlighted by discussions about the impact this decision would have on the MLPA requirement for replication. In fact, my organization (RFA) and a wide variety of others, participated fully in the public commentary that contributed to this decision.

I understand that the DMP is currently undergoing a re-write for matters of clarity, and I fully concur with the necessity for this re-write. However, the 2005 record is perfectly clear. The re-write cannot change that--and hopefully will not obscure that.

I believe it is imperative that Mr. Tavasieff and the entire NCCRSB receive immediate clarification on this issue, before their current deliberations are tainted by misunderstanding. Thanks in advance for your prompt attention to this matter.

Best Regards . . .

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